

The Gazette of India

EXTRAORDINARY
PART II—Section 3
PUBLISHED BY AUTHORITY

No. 303] NEW DELHI, SATURDAY, OCTOBER 1, 1955

LOK SABHA SECRETARIAT

NOTIFICATION

New Delhi, the 30th September, 1955

THE LOK SABHA SECRETARIAT (RECRUITMENT AND CONDITIONS OF SERVICE) RULES, 1955

S.R.O. 2181.—In exercise of the powers conferred by clause (3) of Article 98 of the Constitution of India, the President, after consultation with the Speaker of the Lok Sabha, hereby makes the following rules regulating the recruitment and conditions of service of persons appointed to the secretarial staff of the Lok Sabha, namely :

1. Short title & commencement.—(1) These rules may be called the Lok Sabha Secretariat (Recruitment and Conditions of Service) Rules, 1955.

(2) These rules shall come into force with effect from the 1st October, 1955.

2. Definitions.—In these rules, unless the context otherwise requires,—

- (a) "Constitution" means the Constitution of India;
- (b) "Deputation" means the temporary loan of the services of an officer in the Secretariat to any office outside the Secretariat or *vice versa*;
- (c) "Ministry of Finance" means the Ministry of Finance of the Government of India;
- (d) "Officer" means a person appointed to, or borne on the cadre of, the secretarial staff of the Lok Sabha;
- (e) "post" means a post in the Secretariat and a post shall be deemed to be a post in Class I, Class II, Class III or Class IV, according as such post is specified in Class I,

Class II, Class III or Class IV, as the case may be, in the Second Schedule;

- (f) "Schedule" means the Schedule to these rules;
- (g) "Speaker" means the Speaker of the Lok Sabha;
- (h) "Secretary" means the Secretary of the Lok Sabha;
- (i) "Secretariat" means the Lok Sabha Secretariat; and
- (j) "an officer in Class I, Class II, Class III or Class IV" means an Officer holding a post in Class I, Class II, Class III or Class IV as shown in the Second Schedule.

3. Strength and composition of the Secretariat.—(1) There shall be in the Secretariat:

- (a) such number of permanent posts as are specified in the First Schedule; and
- (b) such number of temporary posts of the categories specified in the Second Schedule as the Speaker may by order from time to time sanction:

Provided that no order sanctioning the creation of a temporary post in Class I, other than the posts of Under Secretary, Superintendent or Committee Officer, shall be issued by the Speaker except after consultation with the Ministry of Finance.

(2) The Speaker may, from time to time, amend the First Schedule by increasing or reducing the number of posts specified therein or by adding thereto any new category of post or posts:

Provided that when such amendment relates to a post in Class I or Class II, no order sanctioning the amendment shall be made by the Speaker except after consultation with the Ministry of Finance.

4. Method of Recruitment.—(1) Recruitment to a post or class of posts may be made by any one of the following methods, namely:—

- (a) By promotion of a person employed in the Secretariat;
- (b) by permanent transfer or deputation of a person serving outside the Secretariat in connection with the affairs of the Union or of a State;
- (c) by direct recruitment.

(2) The Speaker may, by order, from time to time:

- (a) specify the method or methods by which a post or class of posts may be filled;
- (b) determine the proportion of vacancies to be filled by each method; and
- (c) in case of recruitment by promotion, specify the class of officers who, and the conditions subject to which they, shall be eligible for such promotion.

5. Qualifications for recruitment.—The qualifications for recruitment to any post or class of posts shall be such as the Speaker may, from time to time, by general or special order specify.

6. Appointing authority.—All appointments to posts shall be made by the Speaker:

Provided that the Speaker may, by general or special order, delegate to the Secretary or any other officer of the Secretariat his power to make appointments to any post or class of posts specified in such order, being posts other than posts in Class I.

7. Probation.—Every person appointed to a permanent post by direct recruitment, with a view to his eventual substantive appointment to that post, shall be on probation for a period of two years:

Provided that the Speaker or Secretary or any other officer to whom power is delegated under rule 6 may, by order, extend or reduce the period of probation in the case of any person appointed to any post specified in such order.

8. Pay, Leave, Pension and Age of Compulsory Retirement.—Subject to the provisions of rule 11—

- (a) the pay or scale of pay attached to each of the posts in the Secretariat shall be as set out against it in the Second Schedule;
- (b) the rules relating to the grant of leave and pension to officers and the age at which they shall be compulsorily retired from service shall be as set out in the Third and Fourth Schedules:

Provided that the holder of the post of Secretary at the commencement of these rules shall be governed in the matter of pay, leave, pension and age of retirement by the provisions specified in the Fifth Schedule.

- (c) the Speaker may from time to time, by general or special order, after consultation with the Ministry of Finance, amend any provision in the Second, Third and Fourth Schedules.

9. Other Conditions of Service.—In respect of all other matters regulating the conditions of service of officers for which no provision or insufficient provision has been made in these rules, officers shall be governed by such rules as are applicable to the officers of the corresponding rank in the Central Secretariat, subject to such modifications, variations or exceptions, if any, in such rules, as the Speaker may, after consultation with the Ministry of Finance, by order, from time to time specify.

Explanation.—For the purposes of this rule, the Speaker may, after consultation with the Ministry of Finance, by order, specify the posts in the Central Secretariat which shall correspond to the posts in the Secretariat.

10. Relaxation in exceptional cases.—Where the Speaker is satisfied that the operation of any rule or provision in the matter of the conditions of service of an officer causes undue hardship in any particular case, the Speaker may, after consultation with the Ministry of Finance, by order dispense with, or relax the requirements

of, that rule or provision to such extent and subject to such conditions as may be considered necessary for dealing with the case in a just and equitable manner.

11. Conditions of Service of Officers on deputation to the Secretariat.—Subject to such conditions and to such extent as may be determined by the Speaker, after consultation with the Ministry of Finance, an officer while on deputation to the Secretariat may be permitted to retain any terms and conditions of service to which he may be entitled immediately before his deputation to the Secretariat.

12. Control and Discipline.—All officers in the Secretariat shall be subject to the superintendence and control of the Speaker.

13. Penalties.—The following penalties may, for good and sufficient reasons, be imposed on an officer, namely:—

- (i) censure ;
- (ii) withholding of increments or promotion ;
- (iii) reduction to a lower post or time-scale or to a lower stage in a time-scale ;
- (iv) recovery from pay of the whole or part of any pecuniary loss caused to the Union by negligence or breach of orders ;
- (v) compulsory retirement on proportionate pension ;
- (vi) removal from service in the Secretariat which shall not disqualify from future employment under the Government ;
- (vii) dismissal from service in the Secretariat which shall ordinarily disqualify from future employment under the Government.

Explanations.—(1) The termination of employment of an officer during or at the end of the period of probation does not amount to removal or dismissal within the meaning of this rule.

- (2) The stoppage of an officer at the efficiency bar in the time-scale of his pay on the ground of his unfitness to cross the bar does not amount to withholding of increments or promotion within the meaning of this rule.
- (3) A refusal to promote an officer, after due consideration of his case, to a post or grade to which promotions are made by selection, does not amount to withholding of promotion within the meaning of this rule.
- (4) The reversion to a lower post of an officer who is officiating in a higher post, after a trial in the higher post or for administrative reasons (such as the return of the permanent incumbent from leave or deputation, availability of a more suitable officer, and the like) does not amount to reduction in rank within the meaning of this rule.

- (5) The compulsory retirement of an officer (under the provisions of Note 1 to Art. 465A of Civil Service Regulations) shall not amount to a penalty under this rule.
- (6) The withholding of increments for failure to pass departmental examinations does not amount to withholding of increment within the meaning of this rule.

14. Punishing authority.—Subject to the provisions of Article 311 of the Constitution, the Speaker shall have the power to impose any of the penalties specified in rule 13 on any officer:

Provided that the Speaker may, by general or special order, delegate to the Secretary or any other officer the power to impose any of the said penalties on any officer other than an officer of Class I.

15. Procedure before punishment.—The procedure to be adopted before an order of dismissal, removal or reduction in rank is passed on an officer, shall be as specified in the Sixth Schedule:

Provided that the provisions of the said Schedule shall not apply where the officer concerned has absconded or where it is for other reasons impracticable to communicate with him:

Provided further that all or any of the provisions specified in the said Schedule may, in exceptional cases, for special and sufficient reasons to be recorded, be waived by the Speaker or the Secretary, or any other officer authorised under the proviso to rule 14 to impose any of the penalties specified in rule 13, as the case may be, where, in his opinion, there is a difficulty in observing exactly the requirements of the procedure and where such requirements can be waived without any injustice to the officer concerned.

16. Suspension during disciplinary inquiry.—(1) If having regard to the nature of the charges and the circumstances in any case, the Speaker or the Secretary, or any other officer authorised under the proviso to rule 14 to impose any of the penalties specified in rule 13, as the case may be, who initiates any disciplinary proceedings is satisfied that it is necessary or desirable to place under suspension the officer against whom such proceedings are started, the Speaker, Secretary, or such other officer, as the case may be, may

- (a) if the officer is serving in the Secretariat, pass an order placing him under suspension, or
- (b) if the officer is serving outside the Secretariat, request the borrowing authority to place him under suspension, pending the conclusion of the inquiry and the passing of the final order in the case.

(2) An officer who is detained in custody whether on a criminal charge or otherwise, for a period longer than forty-eight hours, shall be deemed to have been suspended under this rule.

(3) An officer against whom a criminal charge is pending may, at the discretion of the Speaker or the Secretary, or any other officer authorised under the proviso to rule 14 to impose any of the penalties specified in rule 13, as the case may be, be placed under suspension until the termination of the proceedings if the charge is connected with his position in the Secretariat or is likely to embarrass him in the discharge of his duties in the Secretariat or involves moral turpitude:

Provided that in the case of an officer on deputation to the Secretariat, the Secretary shall without delay inform the lending authority of the circumstances in which that officer was placed under suspension.

17. Disciplinary action against an officer on deputation to the Secretariat.—If in the case of an officer on deputation to the Secretariat, and without prejudice to the provisions of the foregoing rule, the Speaker or the Secretary or any other officer, as the case may be, is of opinion that any of the penalties referred to in rule 13 should be imposed upon the said officer, his services shall be replaced at the disposal of the lending authority and the relevant papers connected with the inquiry, if any held, shall also be sent to that authority. Final orders in the disciplinary matter shall be passed by the lending authority which shall forward a copy thereof to the Secretariat.

18. Appeal.—(1) Every officer shall have a right to appeal to the Speaker against any order passed originally or on appeal by the Secretary imposing or confirming any penalty specified in rule 13:

Provided that where an order is passed originally by any authority subordinate to the Secretary, an appeal against such order shall lie to the Secretary.

(2) The orders of the Speaker whether passed originally or on appeal shall be final:

Provided that the Speaker may of his own motion or on application revise or rescind any orders passed by him under this rule.

19. Conduct of officers.—Subject to the provisions of these rules, every officer shall be governed by such rules of conduct, discipline and control as the Speaker may, from time to time, by general or special order, specify.

20. Quasi-permanent or temporary service.—The Speaker may, after consultation with the Ministry of Finance, from time to time, make such rules as he considers necessary with respect to quasi permanent or temporary service in the Secretariat.

21. Authentication of orders passed by the Speaker. Any order passed by the Speaker under the provisions of these rules and executed in the name of the Speaker shall be authenticated in such manner as the Speaker may, by general or special order, from time to time specify.

22. Transaction of business.—The Speaker may, from time to time, by general or special order, provide for the convenient and efficient transaction of business arising out of the administration of these rules and the procedure to be followed for the purpose:

Provided that such order may also specify the matter or class of matters which shall be brought to the personal notice of the Speaker before any orders are issued.

23. Restrictory powers.—Subject to the provisions of Rule 9, all matters not specifically provided for in these rules, whether incidental or ancillary to the provisions of these rules or otherwise, shall be regulated in accordance with such orders as the Speaker may, from time to time make.

24. Interpretation.—All questions relating to the interpretation of these rules shall be referred to the Speaker whose decision thereon shall be final:

Provided that all questions relating to the interpretation of rules 3, 8, 9, 10, 11, 20 and 23, First, Second, Third, Fourth and Fifth Schedules and any orders issued under these rules after consultation with the Ministry of Finance shall be decided by the Speaker after consultation with the Ministry of Finance.

25. Repeal and Savings.—Save as otherwise expressly provided in these rules, all rules corresponding to these rules and in force immediately before the commencement of these rules are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

THE FIRST SCHEDULE

[See Rule 3(1) (a)]

| Serial No. | Designation of post. | No. of permanent posts sanctioned. |
|--------------------------|--|------------------------------------|
| <i>Class I Gazetted</i> | | |
| 1. | Secretary | 1 |
| 2. | Joint Secretary | 1 |
| 3. | Deputy Secretaries | 3 |
| 4. | Under Secretaries | 3 |
| 5. | Superintendents | 6 |
| 6. | Committee Officer | 1 |
| <i>Class II Gazetted</i> | | |
| 7. | Pay and Accounts Officer | 1 |
| 8. | Private Secretary to Speaker | 1 |
| 9. | Chief Reporter | 1 |

| Serial No. | Designation of post. | No. of permanent posts sanctioned. |
|---------------|----------------------|---------------------------------------|
|---------------|----------------------|---------------------------------------|

Class II Gazetted—contd.

| | | |
|-----|--|---|
| 10. | Editor of Parliamentary Publications | 1 |
| 11. | Research Officer | 1 |
| 12. | Watch & Ward Officer | 1 |
| 13. | Librarian | 1 |
| 14. | Assistant Manager of Printing | 1 |
| 15. | Assistant Superintendents | 6 |
| 16. | Private Secretary to Secretary | 1 |
| 17. | First Personal Assistant to Speaker | 1 |
| 18. | Marshal | 1 |

Class II Non-Gazetted

| | | |
|-----|--|----|
| 19. | Parliamentary Reporters | 16 |
| 20. | Assistant Research Officers | 6 |
| 21. | Assistant Editors | 7 |
| 22. | Second Personal Assistant to Speaker | 1 |
| 23. | Personal Assistant to Secretary | 1 |
| 24. | Stenographers | 2 |
| 25. | Senior Printing Assistant | 1 |
| 26. | Printing Assistants | 2 |
| 27. | Assistants | 54 |
| 28. | Information Assistant | 1 |
| 29. | Assistant Librarian | 1 |

Class III

| | | |
|-----|--|-----|
| 30. | Translators | 20 |
| 31. | Proof-Readers | 8 |
| 32. | Upper Division Clerks | 7 |
| 33. | Cashier-cum-Accountant | 1 |
| 34. | Junior Accountants | 2 |
| 35. | Junior Cashier | 1 |
| 36. | Senior Watch & Ward Assistants | 2 |
| 37. | Junior Watch & Ward Assistants | 18 |
| 38. | Lower Division Clerks including Accounts Clerks, Bill Clerks, Sales Clerk, Cheque Writers and Adrema Operator | 118 |
| 39. | Copy-holders | 10 |
| 40. | Steno-typists | 2 |
| 41. | Hindi-typists | 2 |
| 42. | Chauffeurs | 2 |
| 43. | Despatch Rider | 1 |
| 44. | Gestetner Operators | 4 |

Class IV

| | | |
|-----|--------------------------|----|
| 45. | Record Sorters | 5 |
| 46. | Daftries | 16 |
| 47. | Jamadars | 3 |
| 48. | Peons | 66 |
| 49. | Sweepers | 4 |

THE SECOND SCHEDULE

[See Rule 8 (a)]

| Designation of post | If entered into service before the 16th July, 1931 | If entered into service on or after the 16th July, 1931. |
|---|--|--|
| <i>Class I Gazetted</i> | | |
| 1. Secretary . . . | Rs. 2500—75—3250 | Rs. 3000 p.m. |
| 2. Joint Secretary . . | 2250 p.m. | 2250 p.m. |
| *3. Deputy Secretary . . | 1300—50—1700 | 1100—50—1300—60— 1600—100—1800. |
| 4. Officer on Special Duty | Such pay as may be prescribed by an order, by the Speaker, after consultation with the Ministry of Finance. | |
| *5. Under Secretary . . | 1000—50—1250 plus Special Pay of Rs. 50 p.m. | 800—50—1150. |
| 6. Superintendent . . | 600—40—800 | 530—30—800. |
| 7. Committee Officer . . | 350—350—380—380—30— 590—EB—30—770—40— 850 | 350—350—380—380—30— 590—EB—30—770—40— 850. |
| <i>Class II Gazetted</i> | | |
| 8. Pay & Accounts Officer | 500—30—650—EB—30— 800. | 500—30—650—EB—30— 800. |
| 9. Private Secretary to Speaker | 600—40—800 | 600—40—800. |
| 10. Chief Reporter . . | 450—25—750 plus Special Pay of Rs. 100 p.m. | 350—25—500—EB—30— 650—EB—30—300 plus Special Pay of Rs. 100 p.m. |
| 11. Editor of Parliamentary Publications. | 350—25—500—EB—30— 650—EB—30—300. | 350—25—500—EB—30— 650—EB—30—300. |
| 12. Research Officer . . | 350—25—500—EB—30— 800. | 350—25—500—EB—30— 800. |
| 13. Watch & Ward Officer . | Grade pay of Deputy Superintendent, of Police plus Special Pay of Rs. 100 p.m. and free quarter or house rent allowance of Rs. 100 p.m., if free quarter not provided. | |
| 14. Librarian . . . | 275—25—500—30—800. | 275—25—500—30—800. |
| 15. Assistant Manager of Printing | 275—25—500—EB—30— 650. | 275—25—500—EB—30— 650. |
| 16. Assistant Watch & Ward Officer. | 275—25—500 | 275—25—500. |
| 17. Assistant Superintendent | 275 (325)—25—500 provided that an assistant promoted to this post will have his pay fixed under Fundamental Rules subject to a minimum of Rs. 325/-. | 275 (325)—25—500 provided that an assistant promoted to this post will have his pay fixed under Fundamental Rules subject to a minimum of Rs. 325/-. |
| 18. Private Secretary to Deputy Speaker | 300—20—400 | 300—20—400. |
| 19. Private Secretary to Secretary | 275—25—500 | 275—25—500. |

*If an officer of the Indian Administrative Service, Indian Audit and Accounts Service, or other Central Services, including the Central Secretariat Service, is appointed to the post of Deputy Secretary or Under Secretary, his pay shall be regulated on the same principles as are applicable to an officer when appointed to a corresponding post in the Central Secretariat.

| Designation of post | If entered into service before the 16th July, 1931 | If entered into service on or after the 16th July, 1931 |
|---|--|--|
| <i>Class II Gazetted—contd.</i> | | |
| 20. First Personal Assistant to Speaker | 275—25—500 | 275—25—500. |
| 21. Marshal | .. | Rs. 250 p. m. |
| <i>Class II Non-Gazetted</i> | | |
| 22. Assistant-in-Charge | 200—15—365—EB—15—500 plus Special Pay of Rs. 40 p.m. | 160—10—300—EB—15—450 plus Special Pay of Rs. 40 p.m. |
| 23. Parliamentary Reporter | 450—25—750 | 350—25—500—EB—30—650—EB—30—800. 300—25—500—30—710 for unqualified Reporter. |
| 24. Assistant Research Officer | 300—20—500—EB—25/2—550. | 300—20—500—EB—25/2—550. |
| 25. Committee Assistant | 250—10—300—15—450—25/2—500. | 250—10—300—15—450—25/2—500. |
| 26. Assistant Editor | 250—10—300—15—450 | 250—10—300—15—450. |
| 27. Second Personal Assistant to Speaker | 250—10—300—15—375 | 250—10—300—15—375. |
| 28. Personal Assistant to Secretary | 250—10—300—15—375 | 250—10—300—15—375. |
| 29. Personal Assistant to Joint Secretary | 250—10—300—15—375 | 250—10—300—15—375. |
| 30. Stenographer | 175—12½—300—EB—12½—375—15—450—25—500. | 160—10—330. |
| 31. Senior Printing Assistant | 160—10—300—EB—15—450 plus Special Pay of Rs. 40 p.m. | 160—10—300—EB—15—450 plus Special Pay of Rs. 40 p.m. |
| 32. Printing Assistant. | 160—10—300—EB—15—450. | 160—10—300—EB—15—450. |
| 33. Assistant | 200—15—365—EB—15—500. | 160—10—300—EB—15—450. |
| 34. Information Assistant | 160—10—300—EB—15—450. | 160—10—300—EB—15—450. |
| 35. Assistant Librarian | 160—10—350 | 160—10—350. |
| <i>Class III</i> | | |
| 36. Translator | 160—10—330 | 160—10—330 |
| 37. Proof-Reader | 120—8—200—10/2—220. | 120—8—200—10/2—220. |
| 38. Upper Division Clerk | 100—8—172—EB—8—300 plus Special Pay of Rs. 50 p.m. in case of Cashier. | 80—5—120—EB—8—200—10/2—220 plus Special Pay of Rs. 50 p.m. in case of Cashier. |
| 39. Cashier-cum-Accountant | 80—5—120—EB—8—200—10/2—220. | 80—5—120—EB—8—200—10/2—220. |
| 40. Junior Accountant | Do. | Do. |
| 41. Junior Cashier | 80—5—120—EB—8—200—10/2—220. | 80—5—120—EB—8—200—10/2—220. |
| 42. Senior Watch & Ward Assistant. | 120—10—250 | 120—10—250. |
| 43. Junior Watch & Ward Assistant | 80—5—120—8—200. | 80—5—120—8—200. |

*Special pay of Rs. 50 p.m. may be given to a Reporter who assists the Chief Reporter in connection with editing the verbatim proceedings during the sessions of the House or a Parliamentary Committee.

| Designation of post | If entered into service before the 16th July, 1931 | If entered into service on or after the 16th July, 1931 |
|---------------------------|--|---|
| <i>Class III—contd.</i> | | |
| 44. Lower Division Clerk. | 60—3—105—4—125—EB— 4—145—5—170 | (i) 55—3—85—4—125—5— 130—EB—8—170 (For those not eligible for pro- motion to higher grade). (ii) 55—3—85—EB—4—125 —5—130. (For those eligible for promotion to higher grade) |
| 45. Adrema Operator | 55—3—85—EB—4—125— 5—130. | 55—3—85—EB—4—125— 5—130. |
| 46. Accounts Clerk | Do. | Do. |
| 47. Bill Clerk | Do. | Do. |
| 48. Sales Clerk | Do. | Do. |
| 49. Cheque Writer | Do. | Do. |
| 50. Copy-holder | Do. | Do. |
| 51. Steno-typist | Do. <i>plus</i> Special Pay of Rs. 20 p.m. | Do. <i>plus</i> Special Pay of Rs. 20 p.m. |
| 52. Hindi typist | 55—3—85—EB—4—125— 5—130. | 55—3—85—EB—4—125— 5—130. |
| 53. Chauffeur | 60—5/2—75 | 60—5/2—75. |
| 54. Despatch Rider | 50—2—60—5/2—65 | 50—2—60—5/2—65. |
| 55. Gestetner Operator | 60—5/2—75 | 60—5/2—75. |
| <i>Class IV</i> | | |
| 56. Record Sorter | 20—1—40 | 40—1—50—2—60. |
| 57. Daftry | 15—1—35 | 35—1—50. |
| 58. Jamadar | 25—1—30 | 35—1—50. |
| 59. Peon | 14—1/5—16 | 30—1—35. |
| 60. Sweeper | 14—1/5—16 | 30—1—35. |

Explanation.—For the purposes of this Schedule, service before the 16th July, 1931 includes service rendered by an officer under the Government of India or the Government of a Province.

THE THIRD SCHEDULE

[See Rule 8 (b)]

The conditions of service of officers (other than Secretary) in the matter of leave, pension and age of retirement shall be governed by the rules and orders specified against the relevant entry:—

Leave.—(i) Ordinary Leave Rules in Sections I to V of Chapter X of the Fundamental Rules for persons who entered service before the 16th July, 1931 other than those re-employed after retirement.

(ii) Revised Leave Rules, 1933 for those to whom clause (i) does not apply.

Pension.—Civil Service Regulations read with Liberalised Pension Rules issued as a result of recommendations of the Central Pay Commission with the Government of India, Ministry of Finance Memoranda No. F.3(1)-Est (Spl)/47, dated the 17th April, 1950, and No. F.3(16)-Est (Spl)/50, dated the 2nd January, 1951 as amended from time to time.

Age of retirement.—Fundamental Rule 56.

Explanation.—(i) For the purposes of this Schedule, service before the 16th July, 1931 includes service rendered by an officer under the Government of India or the Government of a Province.

(ii) Any reference to any rules or orders in this Schedule shall mean such rules or orders as were in force immediately before the commencement of these rules.

THE FOURTH SCHEDULE

[See Rule 8 (b)]

The conditions of service of Secretary in the matter of leave, pension and age of retirement shall be governed by the rules and orders specified against the relevant entry:—

Leave.—Ordinary Leave Rules in Sections I to V of Chapter X of the Fundamental Rules.

Pension.—Civil Service Regulations read with Liberalised Pension Rules issued as a result of recommendations of the Central Pay Commission with the Government of India, Ministry of Finance Memoranda No. F.3(1)-Est (Spl)/47, dated the 17th April, 1950, and No. F.3(16)-Est (Spl)/50, dated the 2nd January, 1951 as amended from time to time.

Age of retirement.—Sub-clause (iii) of clause (c) of Fundamental Rule 56.

Explanation.—Any reference to any rules or orders in this Schedule shall mean such rules or orders as were in force immediately before the commencement of these rules.

THE FIFTH SCHEDULE

[See proviso to Rule 8 (b)]

The conditions of service of Shri M. N. Kaul, Secretary, in the matter of pay, leave, pension and age of retirement shall be governed by the rules and orders specified against the relevant entry:—

Pay.—Rs. 3,250 p.m.

Leave.—Ordinary Leave Rules in Sections I to V of Chapter X of the Fundamental Rules.

Pension.—Article 547 (a) of the Civil Service Regulations.

Age of retirement.—Sub-clause (iii) of clause (c) of Fundamental Rule 56.

Explanation.—Any reference to any rules or orders in this Schedule shall mean such rules or orders as were in force immediately before the commencement of these rules.

THE SIXTH SCHEDULE

(See Rule 15)

1. (a) Without prejudice to the provisions of the Public Servants Inquiries Act, 1850, no order of dismissal, removal or reduction shall be passed on an officer [other than an order based on facts which had led to his conviction in a criminal court (or by a court-martial)] unless he has been informed in writing of the grounds on which it is proposed to take action, and has been afforded an adequate opportunity of defending himself.

(b) The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges, which shall be communicated to the officer charged together with a statement of the allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on him.

(c) The officer shall be required, within a reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person. If he so desires or where the Speaker or the Secretary as the case may be directs, an oral inquiry shall be held. At that inquiry oral evidence shall be heard as to such of the allegations as are not admitted, and the officer charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called, as he may wish, provided that the person or persons conducting the inquiry may, for special and sufficient reason to be recorded in writing, refuse to call a witness.

(d) The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof.

2. An officer on whom it is proposed to impose a penalty specified in clauses (i), (ii), (iv) and (v) of Rule 13 shall be given an adequate opportunity of making any representation that he may desire to make and such representation, if any, shall be taken into consideration before an order imposing any of the said penalties is passed.

[No. F.130-AN(E)/55.]

M. N. KAUL,

Secretary.

